

**DECLARATION, POWER OF ATTORNEY AND PETITION**

We, David M. Austin and Wesley L. Austin, declare: that we are citizens of the United States of America; that our residence and post office addresses are 301 Meadowlark Drive, Alpine, Utah 84004 and 1987 South Bluebell Drive, Bountiful, Utah 84010, respectively; that we verily believe we are the original, first, and joint inventors of the subject matter of the invention or discovery entitled "DETECTION OF OBSERVER PROGRAMS AND COUNTERMEASURES AGAINST OBSERVER PROGRAMS," for which a patent is sought and which is described and claimed in the specification attached hereto; that we have reviewed and understand the contents of the above-identified specification, including the claims; and that we acknowledge the duty to disclose to the Patent and Trademark Office all information known to us to be material to patentability as defined in Section 1.56 of Title 37 of the Code of Federal Regulations.

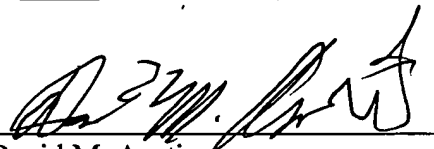
We declare further that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and, further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the application or any patent issuing thereon.

We hereby appoint as our attorney Wesley L. Austin, Registration No. 42,273, with an office at 1987 South Bluebell Drive, Bountiful, Utah 84010 with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. All correspondence and telephonic communications should be directed to:

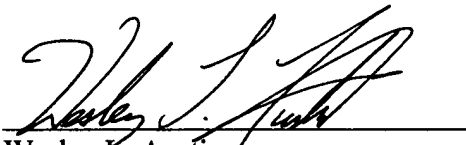
Wesley L. Austin, Esq.  
1987 South Bluebell Drive  
Bountiful, Utah 84010  
telephone: (801) 536-6612

Wherefore, we pray that Letters Patent be granted to us for the invention or discovery described and claimed in the foregoing specification and claims, declaration, power of attorney, and this petition.

Signed at SANDY, Utah this 27 day of January, 2000.

  
David M. Austin

Signed at Sandy, Utah this 27<sup>th</sup> day of January, 2000.

  
Wesley L. Austin

**DECLARATION CLAIMING SMALL ENTITY STATUS**  
**FOR AN INDEPENDENT INVENTOR**

I, Wesley L. Austin, hereby declare: that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees to the United States Patent and Trademark Office with regard to invention in the patent application entitled "DETECTION OF OBSERVER PROGRAMS AND COUNTERMEASURES AGAINST OBSERVER PROGRAMS," as described in the patent application filed concurrently herewith.

I have not assigned, granted, conveyed, or licensed, and am under no obligation under contract or law to assign, grant, convey, or license, any rights in the invention to any person who would not qualify as an independent inventor under 37 C.F.R. § 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 C.F.R. § 1.9(d) or a nonprofit organization under C.F.R. § 1.9(e).

Other than myself, each individual, firm or organization having any right in, to or under the invention is listed below, and separate verified statements or declarations claiming small entity status of each such individual, firm or organization are filed concurrently herewith.


David M. Austin  
(Independent Inventor)  
301 Meadowlark Drive  
Alpine, Utah 84004

I acknowledge the duty to file, in the above-mentioned application or any patent issued in respect thereof, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of (1) the issue fee or (2) any maintenance fee due after the date on which status as a small entity is no longer appropriate.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and, further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of

the application, any patent issuing thereon, or any patent to which this declaration is directed.

Signed at Sandy, Utah this 27<sup>th</sup> day of January, 2000.

  
Wesley L. Austin  
1987 South Bluebell Drive  
Bountiful, Utah 84010

**Docket No.: AUZ-001 P**

**DECLARATION CLAIMING SMALL ENTITY STATUS**  
**FOR AN INDEPENDENT INVENTOR**

I, David M. Austin, hereby declare: that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees to the United States Patent and Trademark Office with regard to invention in the patent application entitled "DETECTION OF OBSERVER PROGRAMS AND COUNTERMEASURES AGAINST OBSERVER PROGRAMS," as described in the patent application filed concurrently herewith.

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Other than myself, each individual, firm or organization having any right in, to or under the invention is listed below, and separate verified statements or declarations claiming small entity status of each such individual, firm or organization are filed concurrently herewith.

Wesley L. Austin  
(Independent Inventor)  
1987 South Bluebell Drive  
Bountiful, Utah 84010

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I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and, further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of

the application, any patent issuing thereon, or any patent to which this declaration is directed.

Signed at SANDY, Utah this 27 day of January, 2000.

A handwritten signature in dark ink, appearing to read "David M. Austin", is written over a horizontal line.

David M. Austin  
301 Meadowlark Drive  
Alpine, Utah 84004

Docket No.: AUZ-001 P

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